UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

HEALTHBRIDGE MANAGEMENT, LLC; CARE
REALTY, LLC; CARE ONE, LLC; 107 OSBORNE
STREET OPERATING COMPANY II, LLC d/b/a
DANBURY HCC; 710 LONG RIDGE ROAD
OPERATING COMPANY II, LLC d/b/a LONG RIDGE
OF STAMFORD; 240 CHURCH STREET OPERATING
COMPANY II, LLC d/b/a NEWINGTON HEALTH CARE CENTER;
1 BURR ROAD OPERATING COMPANY II, LLC d/b/a
WESTPORT HEALTH CARE CENTER; 245
ORANGE AVENUE OPERATING COMPANY II,
LLC d/b/a WEST RIVER HEALTH CARE CENTER;
341 JORDAN LANE OPERATING COMPANY II, LLC
d/b/a WETHERSFIELD HEALTH CARE CENTER

and	Cases 34-CA-070823
	34-CA-072875
	34-CA-075226
	34-CA-083335
NEW ENGLAND HEALTH CARE EMPLOYEES	34-CA-084717
UNION, DISTRICT 1199, SEIU, AFL-CIO	34-CA-096349

ORDER¹

The General Counsel's request for special permission to appeal from Administrative Law Judge Kenneth W. Chu's February 10, 2014 ruling in connection with the General Counsel's motion for an order for compliance with subpoenas duces tecum B-612837, B-612839, B-612843, B-6128451, B-612847, B-612850, B-612852 and B-612853 is denied. The General Counsel asserts that the judge abused his discretion in ordering the Respondents to issue a revised privilege log which may, if warranted, include documents alleged to be privileged as relating to the Respondents' bargaining strategy. Specifically, the General Counsel requests that the Board issue a clarifying Order that will eliminate the necessity of litigating at the hearing the

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

applicability of a bargaining strategy privilege to documents sought by the General Counsel. The request is denied as premature.

At this point in the proceedings the Respondents have not yet submitted their revised log and the judge has not yet ruled that any of the subpoenaed documents are privileged. The General Counsel can only speculate on the consequences that might result once the privilege log is produced.² If the General Counsel objects to the judge's ultimate ruling on this matter, he may request special permission to appeal at that time or raise the issue on exceptions to the Board.

Dated at Washington, D.C., May 14, 2014.

KENT Y. HIROZAWA,	MEMBER
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HARRY I. JOHNSON, III, MEMBER

NANCY SCHIFFER, MEMBER

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² We note that the Respondents aver in their opposition brief that regardless of whether any bargaining strategy privilege applies in this matter, all of the contested documents are covered by the attorney-client privilege.